

# NOTICE OF PUBLIC HEARING

February 5<sup>th</sup> 2015 at 7:00 pm



There will be a Public Hearing on Thursday, **February 5<sup>th</sup> 2015**, starting at **7:00 pm** in the **Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC**, to consider proposed amendments to the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

All persons who believe their interest in property is affected by the proposed bylaw will be given the opportunity to be heard in person, by a representative, or by written submission, on the matters contained within Bylaw No. 6500.027 at the Public Hearing.

## **BYLAW NO. 6500.027**

**Purpose:** To update Official Community Plan (OCP) text and mapping layers.

**Location(s):** Various

**File No.:** Official Community Plan Amendment Application – OCP00073

This bylaw, if adopted, will include text amendments and update mapping layers in order to increase the effectiveness of the "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500."

- a) Amend Part A, Section 1 and Part C, Section 3 to include "A Cultural Plan for a Creative Nanaimo." The Cultural Plan was adopted in 2014 and supports the City's OCP and Strategic Plan.
- b) Amend Part A, Sections 3 and 4, and Part C, Subsection 3.3 (Schools) to include updated demographic information for the City. This includes:
  - (1) Updating total land area for the city to 91.3 km<sup>2</sup>;
  - (2) Updating total population to 86,348;
  - (3) Updating growth projection rates to show a 6.5% growth rate between 2006 and 2011, and an estimated 30% growth to 113,000 by 2031; and
  - (4) Updating school age population to indicate it represents approximately 15% of the total population.
- c) Amend Part C, Subsection 2.3 (Neighbourhood) to include policy that sets criteria for evaluating small lot subdivision rezoning proposals. This criteria will address items such as:
  - (1) Existing and / or provision of adjacent lanes;
  - (2) Walking distance or accessibility by transit to services and neighbourhood amenities;
  - (3) Mix of housing types and lot sizes; and
  - (4) Provision of attractive, pedestrian oriented housing.
- d) Amend Part A, Section 1 to include the Community Sustainability Action Plan; and Part C, Subsection 5 (Energy and Emissions Management) greenhouse gas emission target policy to reduce emissions by 3% below 2007 levels by 2020 and 39% of 2007 levels by 2050, as recommended by the Community Sustainability Action Plan.
- e) Amend Part C, Goal 7 to reference the Nanaimo Advisory Planning Committee instead of the Plan Nanaimo Advisory Committee. This is the result of a committee name change.
- f) Update Part C, Subsection 7.4 (Development Permit Area 9 – Commercial, Industrial, Institutional, Multiple Family and Mixed Commercial/Residential Development), to:
  - (1) Increase the exemption value for exterior alterations and additions done to a building from \$100,000 to \$150,000 to recognize increases in cost of construction and rate of inflation; and
  - (2) Amend the exemption for a duplex to reference two unit residential development on one lot.
- g) Add completion dates for the following items within Section 7.8, Table 6 (Implementation Strategy):

Develop Urban Node Plans – University	2009
Prepare Sustainability Framework for Action	2012
Review the Regional Context Statement	2013
Prepare City-Wide Transportation Plan	2014

h) Amend Map 1 (Future Land Use Plan) of the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500” to correct mapping inconsistencies and update mapping layers. This includes:

- (1) Add the Regional District of Nanaimo Growth Containment Boundary as a new layer.
- (2) Designate a portion of lands at 1931 Griffiths Road to ‘Light Industrial’ to reflect the addition of provincial road right of way as part of the property.
- (3) Redesignate property at 1885 Estevan Road from ‘Corridor’ to ‘Parks and Open Space’.
- (4) Redesignate lands known as the Cable Bay Trail from ‘Resort Centre’ and ‘Resource Protection’ to ‘Parks and Open Space’.
- (5) Redesignate properties from ‘Urban Reserve’ to ‘Parks and Open Space’. This reflects the City’s recent acquisition of lands in the Linley Valley area, including 3518 Hillside Avenue, 3665 Rock City Road and 5600 Vanderneuk Road
- (6) Redesignate properties from ‘Neighbourhood’ to ‘Parks and Open Space’. The subject properties are known as:

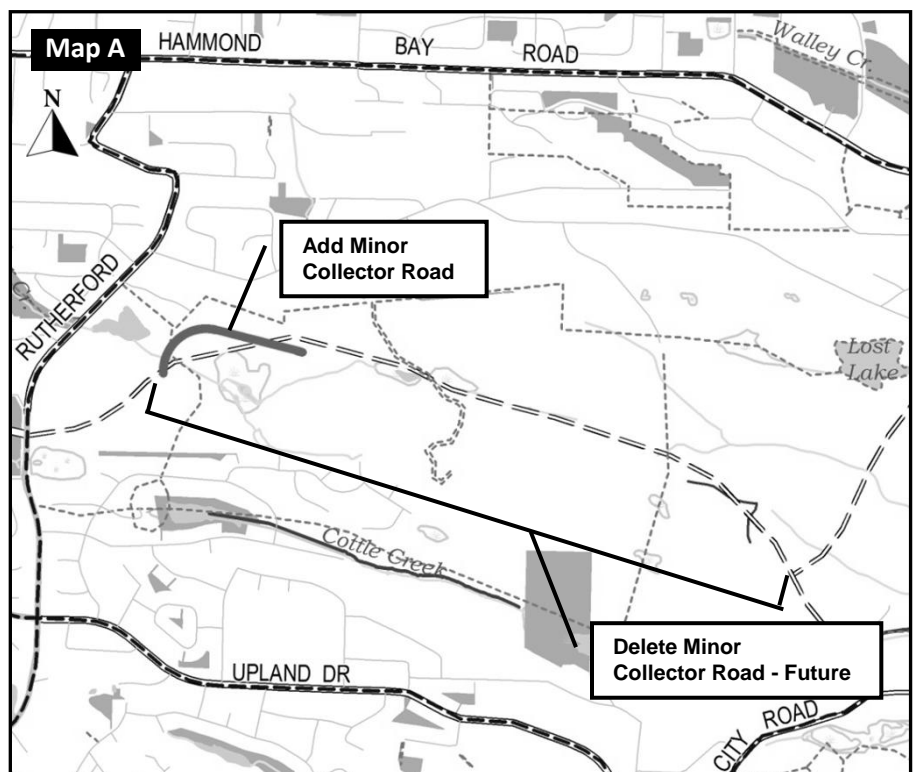
3321 Departure Bay Road	2930 / 2940 / 2950 / 2970 / 2980 Robson Road
3853 Glen Oaks Drive	2040 / 2050 Stonecrop Road
265 Howard Avenue	3840 / 3842 Stronach Drive
2990 James Street	26 / 38 / 48 View Street
5431 Jeevans Road	141 Westwood Road
5784 Linley Valley Drive	Part of 372 Westwood Road
Part of 100 Lotus Pinnatus Way	375 Westwood Road
2141 Mountain Vista Drive	385 Westwood Road
Part of 5521 Noye Road	389 Westwood Road
1209 Ocean Pearl Terrace	115 Yon Place
Part of 6000 Oliver Road	

i) Amend Map 2 (Mobility) of the “OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500” in order to correct mapping inconsistencies and update road classifications. This includes:

- (1) Designate Howard Avenue, between Fifth Street and Seventh Street, as Minor Collector Road. This supports the vision as set out in the Harewood Neighbourhood Plan.
- (2) Delete a portion of Minor Collector Road – Future and add a portion of Minor Collector Road through Linley Valley to reflect both existing roadways and anticipated park use for the area (see Map A).

**PLEASE NOTE:**

**Full details of the above-noted bylaw, including mapping for the park locations, are available online at [www.nanaimo.ca](http://www.nanaimo.ca) or at the City of Nanaimo Community Development Department, located at 411 Dunsmuir Street.**



### **WANT TO FIND OUT MORE INFORMATION?**

**IN PERSON:** A copy of the above-noted bylaw and related documents may be inspected from January 23<sup>rd</sup> 2015 to February 5<sup>th</sup> 2015, from 8:00 am to 4:30 pm, Monday through Friday (excluding statutory holidays), at the City of Nanaimo, Community Development Department, Service and Resource Centre, located at 411 Dunsmuir Street.

**WEBSITE:** Information associated with Bylaw No. 6500.027 can be found on page 30 of the December 15<sup>th</sup> 2014 Council Agenda.

If you would like more information about Public Hearings, please go to the City website at [www.nanaimo.ca](http://www.nanaimo.ca) and use the search function to find the **Public Hearing Information Sheet**, which contains many frequently asked questions.

### **WANT TO MAKE A WRITTEN SUBMISSION?**

If you are unable to attend the Public Hearing, written submissions must be received no later than 4:00 pm, **February 5<sup>th</sup> 2015**, to ensure their availability to Council at the Public Hearing. Written submissions can be provided by any of the following methods:

**IN PERSON:** Drop off at the Service and Resource Centre, located at 411 Dunsmuir Street

**EMAIL:** Email should be sent to [public.hearing@nanaimo.ca](mailto:public.hearing@nanaimo.ca)

**WEBSITE:** Submit comments directly through the City's website at [www.nanaimo.ca/publichearing](http://www.nanaimo.ca/publichearing)

**MAIL:** City of Nanaimo  
Community Development Department  
455 Wallace Street, Nanaimo, BC, V9R 5J6

Following the close of a Public Hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair Public Hearing process and provide a reasonable opportunity for people to respond.

**City of Nanaimo**  
**Community Development Department**  
**Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC**  
**Phone: (250) 755-4429 Fax: (250) 755-4439**  
[www.nanaimo.ca](http://www.nanaimo.ca)

# NOTICE OF PUBLIC HEARING

February 5<sup>th</sup> 2015 at 7:00 pm



There will be a Public Hearing on Thursday, **February 5<sup>th</sup> 2015**, starting at **7:00 pm** in the **Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC**, to consider proposed amendments to the City of Nanaimo "ZONING BYLAW 2011 NO. 4500." All persons who believe their interest in property is affected by the proposed bylaw will be given the opportunity to be heard in person, by a representative, or by written submission, on the matters contained within Bylaw No. 4500.073 at the Public Hearing.

## **BYLAW NO. 4500.073**

**Purpose:** To make 23 text and 6 mapping amendments to Zoning Bylaw 4500.

**Location(s):** Various

**File No.:** Zoning Bylaw Amendment – ZA1- 51

This bylaw, if adopted, will amend "ZONING BYLAW 2011 NO 4500" by:

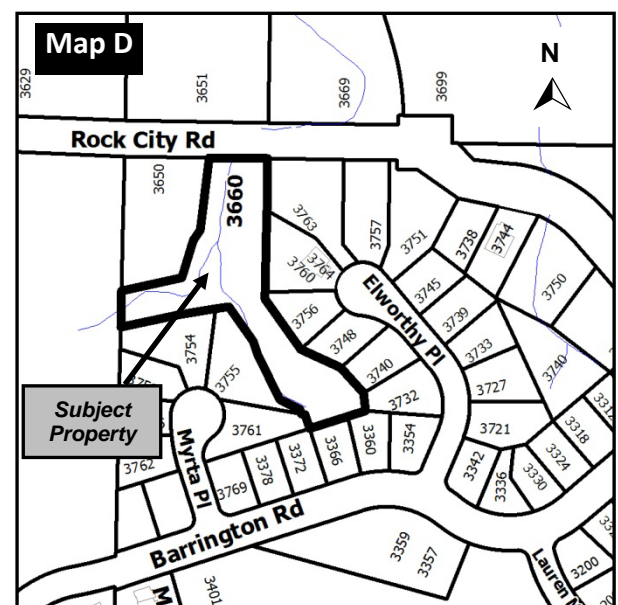
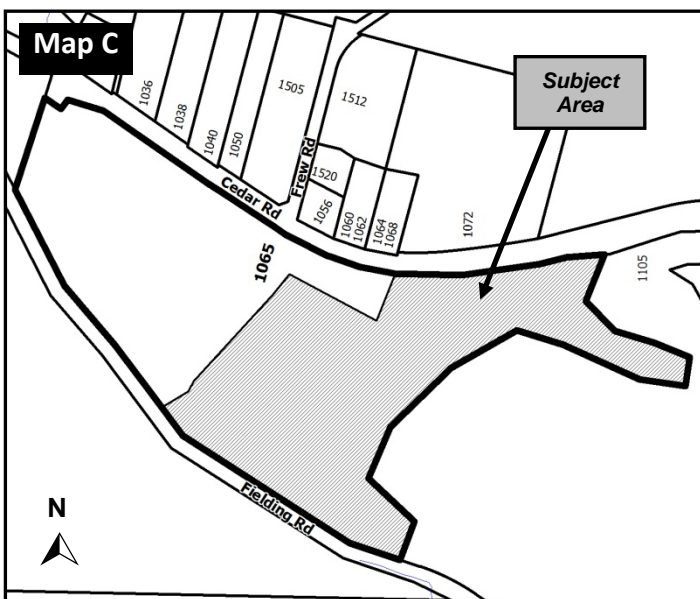
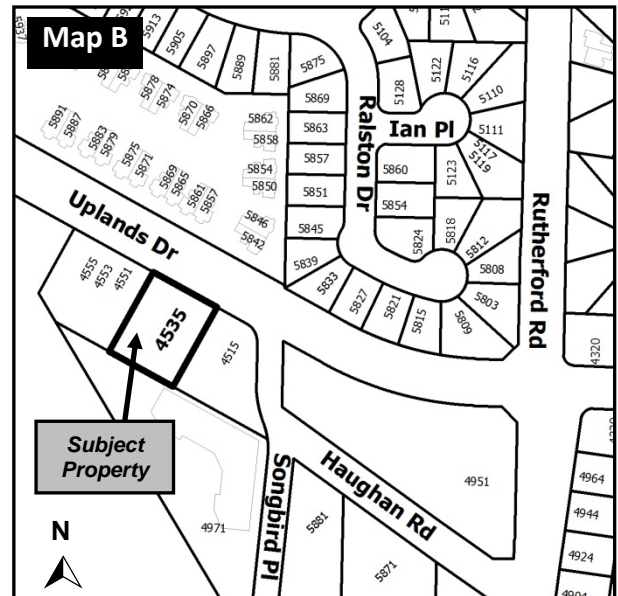
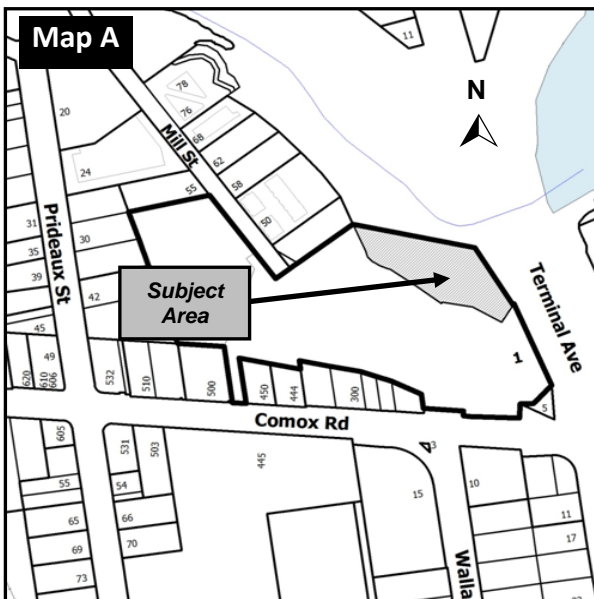
1. Renaming 'Highway' to 'Transportation Corridor' and including the term 'railway' within the definition.
2. Amending the definition of 'Street' by replacing the 'see Highway' reference with the following: "a dedicated road Right-of-Way available for motorized and non-motorized travel, including a highway, public road and a common access road within a bare land strata plan which has been subdivided pursuant to the *Strata Property Act*, but does not include a lane or Rights-of-Way on private property."
3. Replacing the term 'Highway' with 'Street' wherever it appears within the following definitions:

Buffer Area	Frontage	Motor Vehicle
Centre Line	Lot Line, Front	Road
Corner Lot	Lot Line, Flanking Side	Through Lot

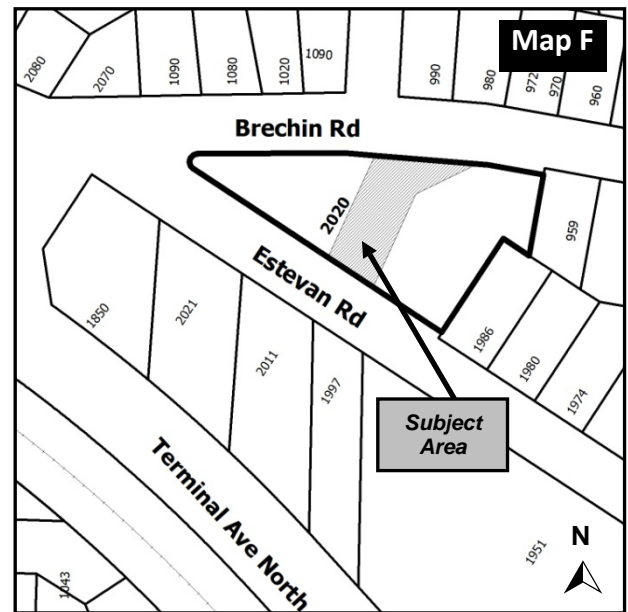
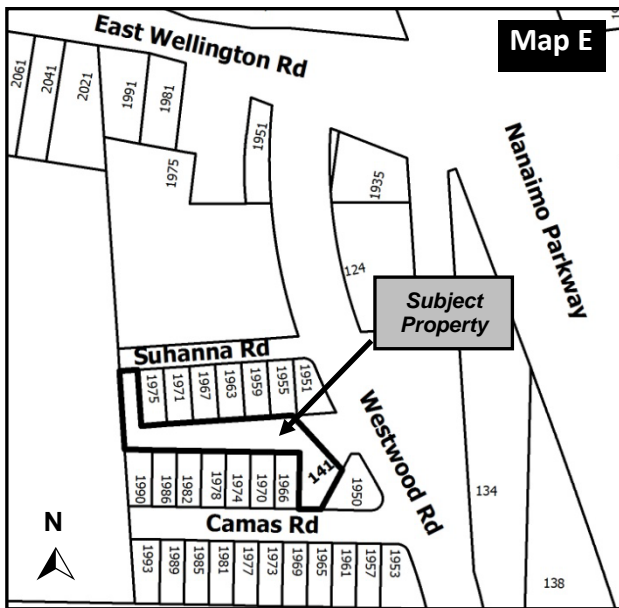
And the following Sections:

- 6.9.1. (visibility at intersections)
- 7.5.3. (garage setback)
- 7.6.3., 15.6.2 (curb height)
- 16.2.5.2., 16.6.7.1., 17.1.1.1., 17.4.2., and 17.11.1. (landscaping and screening)
4. Amending the definition of 'Storage Yard' to clarify that a waste transfer station, compost facility and recycling depot are not permitted.
5. Amending the definition of 'Height, Building' to measure height from finished grade where it is lower than the approved grade in a grading plan.
6. Amending the definition of 'Agriculture' by removing 'Medical Marihuana Growing and Production'.
7. Adding Old City Duplex (R13) and Old City Fourplex (R14) to the list of zones in which an accessory building has a rear yard setback of 1.5m, or 1m where a lane exists.
8. Adding the Single Dwelling Residential (R1b) subzone to the list of zones in which accessory Gross Floor Area is limited to 13% or 90m<sup>2</sup>.
9. Amending the Zoning Bylaw by clarifying that a mobile home cannot be used for a secondary suite within an accessory building.
10. Adding the following subsection regarding the subdivision of lands: "On lands not within the Agricultural Land Reserve, subdivision under Section 946 of the *Local Government Act* shall only be permitted on lots where the parent parcel size is a minimum of 10 hectares (ha)."
11. Clarifying that for the purposes of determining slope within the Steep Slope Residential (R10) zone, steep slope refers to a single direction of slope and not the average of both directions.
12. Allowing a single residential dwelling within the Medium Density Residential (R8) zone to meet the setback requirements for the Single Dwelling Residential (R1) zone, as opposed to the R8 setbacks.
13. Adding a home based business to the accessory use chart within the Agriculture Rural Residential, Commercial Centre, and Downtown zones.
14. Adding 'Restaurant' as a permitted use within the Local Service Centre (CC1) zone and limiting the floor area to no more than 500m<sup>2</sup>.
15. Removing the site specific liquor store use for 6201 Doumont Road.
16. Adding 'Electric Vehicle Charge Station' as a permitted use in all downtown zones.
17. Amending the condition of use for micro brewery to increase Gross Floor Area limit from 55m<sup>2</sup> to 557m<sup>2</sup>.
18. Adding a 2.5m additional setback requirement within downtown zones where a property abuts a major road and dedication has not been taken.

19. Amending the Condition of Use for a recycling depot to allow outside storage in the I4 zone.
20. Adding 'Seafood Processing' as a permitted use within the Industrial (I4) zone.
21. Increasing the exemption for landscaping and screening to a construction value of less than \$150,000, as opposed to the current \$100,000 limit.
22. Changing the zoning section reference within the Fine Schedule for encroachments into watercourse leavestrips from 6.3.1. to 6.3.5.
23. Adding a fine for fabric covered structures in excess of 120 days.
24. Rezoning a portion of 1 Terminal Avenue from Gateway (DT12) to Comprehensive Development District Zone Seven (CD7), as shown on Map A.
25. Rezoning 4535 Uplands Drive from Mixed Use Corridor (COR2) to Community Corridor (COR3), as shown on Map B.
26. Rezoning a portion of 1065 Cedar Road (Nanaimo Landfill) from Park, Recreation and Culture One (PRC1) to Community Service Two (CS2), as shown on Map C.
27. Rezoning 3660 Rock City Road from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1), as shown on Map D.
28. Rezoning 141 Westwood Road from Single Dwelling Residential - Small Lot (R2) to Parks, Recreation and Culture One (PRC1), as shown on Map E.
29. Rezoning a portion of 2020 Estevan Road from Single Dwelling Residential (R1) to Community Service One (CS1), as shown on Map F.







### WANT TO FIND OUT MORE INFORMATION?

**IN PERSON:** A copy of the above-noted bylaw and related documents may be inspected from January 23<sup>rd</sup> 2015 to February 5<sup>th</sup> 2015, from 8:00 am to 4:30 pm, Monday through Friday (excluding statutory holidays), at the City of Nanaimo, Community Development Department, Service and Resource Centre, located at 411 Dunsmuir Street.

**WEBSITE:** Information associated with Bylaw No. 4500.073 can be found on page 29 of the January 19<sup>th</sup> 2015 Council Agenda.

If you would like more information about Public Hearings please go to the City's website at [www.nanaimo.ca](http://www.nanaimo.ca) and use the search function to find the '**Public Hearing Information Sheet**', which contains many frequently asked questions.

Following the close of a Public Hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair Public Hearing process and provide a reasonable opportunity for people to respond.

Please be advised that additional bylaws are scheduled for the Public Hearing. The complete list of public hearing items is available on the City's website and published in local newspapers.

### WANT TO MAKE A WRITTEN SUBMISSION?

If you are unable to attend the Public Hearing, written submissions must be received no later than 4:00 pm, **February 5<sup>th</sup> 2015**, to ensure their availability to Council at the Public Hearing. Written submissions can be provided by any of the following methods:

**IN PERSON:** Drop off at the Service and Resource Centre, located at 411 Dunsmuir Street

**EMAIL:** Email should be sent to [public.hearing@nanaimo.ca](mailto:public.hearing@nanaimo.ca)

**WEBSITE:** Submit comments directly through the City's website at [www.nanaimo.ca/publichearing](http://www.nanaimo.ca/publichearing)

**MAIL:** City of Nanaimo  
Community Development Department,  
455 Wallace Street, Nanaimo, BC, V9R 5J6

**City of Nanaimo**  
**Community Development Department**  
**Service and Resource Centre**  
**411 Dunsmuir Street**  
**Phone: (250) 755-4429**  
**Fax: (250) 755-4439**  
[www.nanaimo.ca](http://www.nanaimo.ca)